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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/620,495	07/20/2000	Michael Kenneth Brown	19-26	3563

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Joseph B. Ryan
Ryan, Mason & Lewis, LLP
90 Forest Avenue
Locust Valley, NY 11560

EXAMINER

OSMAN, RAMY M

ART UNIT

PAPER NUMBER

2157

DATE MAILED: 07/06/2004

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/620,495

Applicant(s)

BROWN ET AL.

Examiner

Ramy M Osman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4/19/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Status of Claims

1. This communication is responsive to the request for reconsideration filed on April 13, 2004. A new non-final action is being attached with this communication in view of newly found references. Claims 1-7 and 9-20 are pending.

Response to Arguments

1. Applicant's arguments with respect to claims 1-7 and 9-20 have been considered.
2. Applicants remarks regarding the previous non-Final action are sufficient to overcome the prior-art references. A response to the remarks will not be given because they are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-4,6 and 9 rejected under 35 U.S.C. 102(e) as being anticipated by McCauley et al. (U.S. Patent No. 6,626,958).

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5. In reference to claim 1, McCauley teaches an apparatus, a method, and a corresponding program comprising:

At least one server within a network which processes a client request to determine client type, to retrieve web content, to retrieve augmentation file(s) associated with web content or client type, and to alter web content in accordance with augmentation file(s), wherein altered content is then delivered to client device; wherein the server parses the retrieved web content into one or more component structures, subsequently applies a pattern matching process to recognize designated component structure subject to alteration in accordance with the one or more augmentation files (Abstract, Summary, column 4 lines 20-67, column 5 lines 5-35 and column 6 lines 20-50).

6. In reference to claim 2, McCauley teaches the apparatus of claim 1 wherein the client device comprises at least one of a computer, a personal digital assistant, a wireless telephone and a voice browser-equipped device (column 2 lines 10-20).

7. In reference to claim 3, McCauley teaches wherein the web content is at least partially in either an HTML or XML format (column 5 line 35 – column 6 line 35).

8. In reference to claim 4, McCauley teaches the apparatus of claim 1 wherein the augmentation file(s) is/are co-located with the web content at a site remote from the server (column 6 lines 1-20).

9. In reference to claim 5, McCauley teaches the apparatus of claim 1 wherein an augmentation file comprising a patch file (column 6 lines 1-20 and column 7 lines 1-40).

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10. In reference to claim 9, McCauley teaches the apparatus of claim 1 wherein the pattern matching process utilizes a pattern matching expression comprising of context, pattern, precedence and replacement elements (Summary, column 6 lines 25-67 and column 8 lines 5-45).

11. In reference to claim 12, McCauley teaches the apparatus of claim 1, wherein the received client request is associated with a plurality of different client devices and the retrieved augmentation file(s) comprise one or more files for each of the different client devices (Summary, column 4 lines 20-67 and column 12 lines 44-67).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claim 6 rejected under 35 U.S.C. 103(a) as being unpatentable over McCauley et al. (U.S. Patent No. 6,626,958) in view of Tso et al. (U.S. Patent No. 6,421,733).

McCauley teaches claim 1 above which includes an information server system responding to client requests for content. McCauley fails to explicitly teach wherein the server comprises a web proxy server configured between a device associated with the client and another server which provides the content identified in the client request. However, Tso teaches a

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transcoding web proxy server between a client and an Internet server identified in the client request (Summary, column 3 lines 1-67 and figure 3 #34).

It would have been obvious to one having ordinary skill in the art to modify McCauley by making the server system an intermediary proxy server which renders content between a client and the Internet as per the teachings of Tso so to dynamically transcode Internet content to conform to different client types.

14. Claims 7,10 and 11 rejected under 35 U.S.C. 103(a) as being unpatentable over McCauley et al. (U.S. Patent No. 6,626,958) in view of Li et al. (U.S. Patent No. 6,345,279).

15. In reference to claim 7, McCauley teaches claim 1 above including server system distinguishing between clients (Abstract). McCauley does not explicitly teach wherein the server determines the client type using at least one of an HTTP header element, a client-identifying cookie, and an HTTP GET request QUERY_STRING attribute. However, Li teaches transcoding a document for a client device and determining client type using a client profile obtained in an HTTP request header (column 2 lines 19-40 and column 5 line 63 – column 6 line 50).

It would have been obvious to one having ordinary skill in the art to modify McCauley by making the server determine the client type by using at least one of an HTTP header element, a client-identifying cookie, and an HTTP GET request QUERY_STRING attribute as per the teachings of Li so to identify client devices so that the content can be properly rendered for them.

16. In reference to claims 10 and 11, McCauley teaches claim 9 above. McCauley does not explicitly teach wherein the context element contains instructions of the form pattern:replacement and the precedence element specifies an order of application of the

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instructions associated with context element. However, Li teaches context elements with instructions for specifying a replacement mechanism to be implemented upon content items. The replacement mechanism of Li is in the form of an InfoPyramid structure in which multiple representations of an item are organized so that an order of application can be applied to content items for transcoding (column 4 line 50 – column 5 line 62).

17. Claim 13 rejected under 35 U.S.C. 103(a) as being unpatentable over McCauley et al. (U.S. Patent No. 6,626,958) in view of Chintakrindi et al (U.S. Patent No. 6,216,159).

McCauley teaches claim 1 above which includes At least one server within a network which processes a client request to determine client type, to retrieve web content, to retrieve augmentation file(s) associated with web content or client type, and to alter web content in accordance with augmentation file(s), wherein altered content is then delivered to client device; wherein the server parses the retrieved web content into one or more component structures, subsequently applies a pattern matching process to recognize designated component structure subject to alteration in accordance with the one or more augmentation files (Abstract, Summary, column 4 lines 20-67, column 5 lines 5-35 and column 6 lines 20-50).

McCauley does not explicitly teach wherein the client device comprises a virtual client device having a combination of a plurality of different features provided by multiple distinct physical devices. However, Chintakrindi teaches virtual devices representing features of physical devices (Abstract, column 2 line 60 – column 3 line 50 and column 9 lines 50-67).

It would have been obvious to one having ordinary skill in the art to modify McCauley by making the client devices comprise virtual devices having different features provided by multiple

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distinct physical devices as per the teachings of Chintakrindi so that a combination of distinct physical devices can be serviced for content rendering.

18. Claims 14-20 do not teach or define any new limitations above claims 1-13 as mentioned above and are therefore rejected for similar reasons.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramy M Osman whose telephone number is (703) 305-8050. The examiner can normally be reached on Monday through Friday 9AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 305-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

RMO
June 23, 2004


ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100